

16698 U.S. PTO
112603

Mail Stop Patent Application
Commissioner for Patents
Alexandria, VA 22313-1450

031088 U.S. PTO
10/721864

112603

NEW CONTINUATION/DIVISIONAL PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.53(b)

This is a request for filing a [X] continuation [] divisional application under 37 C.F.R. §1.53(b) of pending Patent Application No. 09/502,043, filed on February 11, 2000, entitled FIBER AND WIRE COMMUNICATION SYSTEM, by the following named inventor(s):

- (a) Charles D. Combs
- (b) Thomas Edward Darcie
- (c) Bhavesh N. Desai
- (d) Alan H. Gnauck
- (e) Xiaolin Lu
- (f) Esteban Sandino
- (g) Oleh J. Sniezko
- (h) Anthony G. Werner
- (i) Sheryl Leigh Woodward

[X] The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.

[] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. §1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

- (a) Full Name:
- (b) Full Name:
- (c) Full Name:

1. Enclosed are:

[X] A copy of the originally filed U.S. Patent Application No. 09/502,043, filed February 11, 2000, entitled "Fiber and Wire Communication System," including:

- [X] 17 pages of description (before the claims);
- [X] 6 pages of claims (36 total claims; 8 independent claims);
- [X] 1 Sheet of Abstract;
- [X] 9 sheets of drawing(s); and
- [X] executed Declaration and Power of Attorney.
- [] Application Data Sheet
- [] Assignment and Assignment Recordation Cover Sheet
- [X] Copy of Revocation of Associate Power and Appointment of Associate Attorney
- [] Assertion of Entitlement to Small Entity Status
- [X] Information Disclosure Statement with Form PTO/SB/08A
- [X] Preliminary Amendment
- [] CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- [X] Nonpublication Request and Certification
- [] Check No. in the amount of \$ for the total fee as calculated below
- [X] Credit Card Payment Form for the total fee as calculated below
- [X] (2) Return receipt postcards
- [] Other:

2. [] Please amend the specification by inserting before the first heading the following paragraph:
This application claims priority under 35 U.S.C. §§119 and/or 365 to
filed in on , the entire content of which is hereby incorporated by reference.
A certified copy of the priority application [] is enclosed [] will follow.

3. [] Please amend the specification by inserting before the first heading the following paragraph:
This application claims priority under 35 U.S.C. §119(e) to U.S. Provisional Application No. , filed , the entire content of which is hereby incorporated by reference.

4. [] Please amend the specification by inserting before the first heading the following paragraph:
This application claims priority under 35 U.S.C. §120 to U.S. Patent Application No. , filed , the entire content of which is hereby incorporated by reference.

5. The filing fee has been calculated as follows [X] and in accordance with the enclosed preliminary amendment:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$770.00
Total Claims	8	- 20 =	0	x \$18.00	0
Independent Claims	2	- 3 =	0	x \$86.00	0
If multiple dependent claims are presented, add \$280.00					
Total Application Fee					\$770.00
If an Assertion of Entitlement to Small Entity Status is enclosed, subtract 50% of Total Application Fee					
Other fees: (specify)					
TOTAL FEE DUE					\$770.00

This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

Authorization to charge a credit card for the total fee is attached.

6. Please direct all written correspondence concerning this application to:

**AT&T Corp.
P.O. Box 4110
Middletown, NJ 07748**

7. Please direct all calls to the undersigned.

**Law Office of Duane S. Kobayashi
1325 Murray Downs Way
Reston, VA 20194
Tel: 703-464-7902
Fax: 703-935-0276**

Dated: <u>11/26/03</u> Law Office of Duane S. Kobayashi 1325 Murray Downs Way Reston, VA 20194 703-464-7902 703-935-0276	Respectfully submitted, By:  Duane S. Kobayashi Reg. No. 41,122
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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	COMBS
	Title	Fiber and Wire Communication System
	Atty Docket Number	113692CON-2 (ATT.0020004)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11/26/03

Date

Signature

Duane S. Kobayashi

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**